

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

GARY THOMPSON,

Plaintiff,

v.

N.J. STATE PAROLE BOARD
CHAIRPERSON, et al.,

Defendants.

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Civil No. 10-2992 (PGS)

O R D E R
(CLOSED)

The Court having considered Plaintiff's application to proceed in forma pauperis and file the complaint without prepayment of fees pursuant to 28 U.S.C. § 1915; and the Court having screened the complaint to determine whether dismissal is warranted pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A; and the Court, having reviewed Plaintiff's motion to amend (docket entry 20);

It is on this 1st day of June, 2011,

ORDERED that Plaintiff may proceed in forma pauperis without prepayment of the \$350.00 filing fee pursuant to 28 U.S.C. § 1915(a) and (b); and it is further

ORDERED that the Clerk of the Court is directed to file the complaint in the above-captioned action; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this order by regular mail on the Attorney General for the State of New Jersey and on the warden of the Southwoods State Prison; and it is further

ORDERED that Plaintiff is assessed a filing fee of \$350.00 and shall pay the entire filing fee in the manner set forth in this


order, pursuant to 28 U.S.C. § 1915(b)(1) and (2), regardless of the outcome of the litigation; and it is further

ORDERED that in each month that the amount in Plaintiff account exceeds \$10.00, until the \$350.00 filing fee is paid, the agency having custody of the Plaintiff shall assess, deduct from Plaintiff's account, and forward to the Clerk of the Court payment equal to 20% of the preceding month's income credited to Plaintiff's account, pursuant to 28 U.S.C. § 1915(b)(2), and each payment shall reference the civil docket number of this action; and it is further

ORDERED that Plaintiff's motion to amend (docket entry 20) is hereby denied; and it is further

ORDERED that Plaintiff's complaint is hereby dismissed, without prejudice, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1), for failure to state a claim upon which relief may be granted; within 45 days from the date this order is entered, Plaintiff may move to reopen his case, attaching to any such motion a proposed amended complaint which addresses the deficiencies of the complaint as stated in the opinion accompanying this order; and it is finally

ORDERED that the Clerk of the Court shall close this case.


PETER G. SHERIDAN
United States District Judge